

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

JONATHAN JAMES PEREZ,  
TDCJ-CID #1553459,

V.

ALVIN J. RIPPS, JR. ET AL.

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C.A. NO. C-10-323

**ORDER OF TRANSFER**

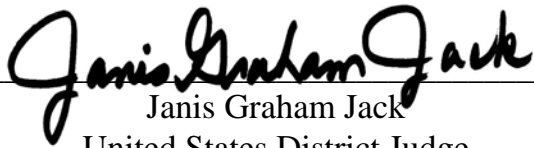
Plaintiff is a Texas state prisoner currently incarcerated at the McConnell Unit in Beeville, Texas. (D.E. 1). In this § 1983 civil rights action, plaintiff is suing two correctional officers employed at the Connally Unit, which is located in Kenedy, Karnes County, Texas. Plaintiff claims that the defendant officers failed to protect him from an inmate assault in deliberate indifference to his health and safety, in violation of his Eighth Amendment rights.

The district courts have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States. 28 U.S.C. § 1331. Venue in federal question cases lies in the district in which any defendant resides or in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b).

A district court has the authority to transfer a case in the interest of justice to another district or division in which the action might have been brought. 28 U.S.C. §§ 1404, 1406; Balawajder v. Scott, 160 F.3d 1066, 1067 (5th Cir. 1998). The alleged events giving rise to plaintiff's claims occurred while plaintiff was at the Connally Unit. In addition, the two defendants work at the Connally Unit and likely reside in Karnes County, Texas. It is in the interests of justice to transfer this case to the venue in which the action arose and where the named defendants reside.

Karnes County is located in the Western District of Texas, San Antonio Division. 28 U.S.C. § 124(d)(4). Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Western District of Texas, San Antonio Division.

ORDERED this 13th day of October, 2010.

  
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Janis Graham Jack  
United States District Judge